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15 **UNITED STATES DISTRICT COURT**
16 **DISTRICT OF NEVADA**

17 LOCAL JOINT EXECUTIVE BOARD OF
18 LAS VEGAS,

19 *ex rel.* NATIONAL LABOR
20 RELATIONS BOARD,

21 Applicant,

22 v.

23 STATION CASINOS, LLC,
24 Respondent.

Case No.: 2:22-cv-00100-RFB-NJK

25 **RESPONDENTS' UNOPPOSED**
26 **MOTION TO MODIFY SCHEDULING**
27 **ORDER**

28 **(FIRST REQUEST)**

Respondent respectfully moves this Court for an Order modifying the current Scheduling Order (ECF 21) to extend the time for responding to Applicant's Application for Enforcement of Subpoena Duces Tecum B-1-1CR9TSF by fourteen days from the present deadline of June 10, 2022 until June 24, 2022 pursuant to Local Rule IA 6-1(a). As good cause for Respondent's motion, Respondent's state as follows:

1 1. This is an action to enforce a subpoena *duces tecum* issued by the National Labor
 2 Relations Board (NLRB) on behalf of Local Joint Executive Board of Las Vegas (LJEB) in an
 3 underlying unfair labor practice proceeding before an Administrative Law Judge of the NLRB.
 4
 5 The subpoena includes 97 separately numbered paragraphs.

6 2. The NLRB commenced this proceeding on January 20, 2022. LJEB moved to
 7 intervene on February 10, 2022 (ECF 14), which the Court allowed on February 14, 2022 (ECF
 8 15). Also on February 14, 2022, the Court ordered the parties to confer on a briefing schedule
 9 (ECF 16), with which the parties complied, filing a proposed joint schedule on February 18, 2022
 10 (ECF 17).
 11

12 3. On February 28, 2022, the Court denied the NLRB's Application without
 13 prejudice (ECF 18).

14 4. No activity occurred in this case between the Court's denial of the petition and a
 15 subsequent Order issued April 7, 2022 which directed the parties to file either "(1) a joint
 16 proposed schedule for motion practice and briefing, (2) a joint status report, or (3) dismissal
 17 papers." (ECF 19).
 18

19 5. The parties filed a joint status report on April 21, 2022 but did not propose a
 20 briefing schedule. (ECF 20). On April 22, 2022, the Court set the following briefing schedule:

- | | |
|--|---------------|
| a. Petitioner's Renewed Request for Relief | May 20, 2022 |
| b. Respondents' Response | June 10, 2022 |
| c. Petitioner's Reply | June 20, 2022 |

25 (ECF 21).¹
 26
 27

¹ The Court entered the same schedule in a related proceeding, *Local Joint Executive Board of Las Vegas, ex rel. National Labor Relations Board v. Red Rock Resorts, Inc., et al.*, Civ. A. 2:21-cv-01986-RFB-NJK (the "Related Case"). See Docket No. 37 (April 22, 2022).

8. Good cause exists for the following requested modification to the Court's April 21, 2022 Scheduling Order, because the additional time will permit Respondents to effectively marshal a response to the Application and hopefully narrow the issues in dispute:

June 24, 2022

July 14, 2022

³ *Id.*

3

1 9. Without prejudice to any argument related to the foregoing, LJEB does not
2 oppose the requested modification of the scheduling order, but requests that if the Court grants
3 Respondents' motion, the schedule be further modified to permit LJEB's reply by July 14, 2022
4 on account of counsel for LJEB having a two-day arbitration hearing in Boston, Massachusetts
5 on June 28 and June 29, the July 4 holiday, and counsel for LJEB scheduled to appear for oral
6 arguments in the Ninth Circuit Court of Appeals in Portland, Oregon on July 8.
7

8 10. A proposed order is submitted herewith.
9 **WHEREFORE**, Respondents respectfully request that the Court grant this unopposed motion
10 and modify the Scheduling Order as requested herein.
11

12 Respectfully submitted,

13 FISHER & PHILLIPS LLP

14 /s/ Joshua D. Nadreau

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CERTIFICATE OF SERVICE

This is to certify that on the May 25, 2022, the undersigned electronically filed the foregoing Unopposed Motion to Modify Scheduling Order with the U.S. District Court, District of Nevada, and a copy was electronically transmitted from the court to the email addresses on file for:

Eric Myers, Esq.

/s/ Joshua D. Nadreau

Joshua D. Nadreau (admitted *pro hac vice*)

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 LOCAL JOINT EXECUTIVE BOARD OF
4 LAS VEGAS,

5 *ex rel.* NATIONAL LABOR
6 RELATIONS BOARD,

7 Applicant,

8 v.

9 STATION CASINOS, LLC,
10 Respondent.

Case No.: 2:22-cv-00100-RFB-NJK

**ORDER GRANTING
RESPONDENTS' UNOPPOSED
MOTION TO MODIFY
SCHEDULING ORDER**

11 Pending before the Court is Respondents' Unopposed Motion to Modify the Scheduling
12 Order in this matter (Docket No. 23). The Court finds that good cause exists for the requested
13 modification for the reasons stated therein.
14

15 IT IS HEREBY ORDERED that Respondents' Unopposed Motion to Modify the
16 Scheduling Order is **GRANTED**. Respondents are ordered to submit their response to the Local
17 Joint Executive Board of Las Vegas' Application (ECF 38) by June 24, 2022, and the Applicant
18 may submit any reply thereto by July 5, 2022. **NO FURTHER EXTENSIONS WILL BE GRANTED.**
19
20
21

22 IT IS SO ORDERED:

23
24 
25 _____
26 Nancy J. Koppe
27 United States Magistrate Judge
28

Dated May 26, 2022.